



UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

INDECK KEYSTONE
ENERGY, LLC, a Delaware limited liability
company,

Plaintiff,

v.

VICTORY ENERGY
OPERATIONS, LLC, a Delaware limited
liability company,

Defendant.

CIVIL ACTION

NO. 04-CV-325 (ERIE)

Judge Sean J. McLaughlin

JURY TRIAL DEMANDED

DISPUTE CERTIFICATE

I, John K. Gisleson, counsel for Plaintiff Indeck Keystone Energy LLC ("IKE"), submit this certificate in support of IKE's Motion for Extension of Time to Respond to Defendant's Motion for Partial Summary Judgment. I attest that the following is true and correct:

1. On January 20, 2006, Defendant filed a Motion for Partial Summary Judgment, for which Plaintiff received electronic notice after the close of business on that date.
2. On January 24, 2006, the Court entered an Order providing that a response to the Motion shall be due on or before February 13, 2006.
3. Counsel for Plaintiff requested a three-week extension from Defendant based on the fact that discovery was ongoing and counsel's schedule.

4. Defendant refused to consent to an extension.

Dated: February 7, 2006

Respectfully submitted,

/s/ John K. Gisleson

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